

**LAWS AND REGULATIONS RELATING TO
LICENSURE AS A
PASTORAL COUNSELOR**



Published By
The Kentucky Board of Licensure for Pastoral Counselors
P.O. Box 1360
Frankfort, KY 40602
<http://klpc.ky.gov>

March 2017 Edition



DISCLAIMER

The statutes and regulations provided in this booklet are an *unofficial* version of the Kentucky Revised Statutes and Kentucky Administrative Regulations and are intended for informational purposes only. The official or certified versions of the Kentucky Revised Statutes and Kentucky Administrative Regulations should be consulted for all matters requiring reliance on the statutory text.

For the official copies of the statutes and regulations pertaining to this profession, please visit <http://lrc.ky.gov>.

TABLE OF CONTENTS

KENTUCKY REVISED STATUTES

KRS 335.600	Purpose of KRS 335.600 to 335.699 and KRS 506.....	1
KRS 335.605	Definitions for KRS 335.600 to 335.699.....	1
KRS 335.610	Kentucky Board of Licensure for Pastoral Counselors.....	2
KRS 335.615	Powers and duties of board.....	2
KRS 335.620	Application for licensure – Conversion of certificate to license.....	3
KRS 335.625	Renewal of license.....	4
KRS 335.630	Use of title “Kentucky Licensed Pastoral Counselor” – Construction of KRS 335.600 to 335.699.....	4
KRS 335.635	Written complaint of violation – Investigation – Hearing – Appeal.....	5
KRS 335.640	Reinstatement.....	5
KRS 335.645	Immunity from personal liability.....	6
KRS 335.650	Disposition of fees and other moneys.....	6
KRS 335.699	Penalties and sanctions for violations.....	6

KENTUCKY ADMINISTRATIVE REGULATIONS

201 KAR 38:010	Definitions for 201 KAR Chapter 38.....	7
201 KAR 38:020	Application.....	7
201 KAR 38:030	Equivalent course of study.....	9
201 KAR 38:040	Fees.....	18
201 KAR 38:060	Code of ethics.....	18
201 KAR 38:070	Renewal of licenses and continuing education.....	22

KENTUCKY REVISED STATUTES

335.600 Purpose of KRS 335.600 to 335.699 and KRE 506.

The purpose of KRS 335.600 to 335.699 and KRE 506 is to protect the public safety and welfare by providing for the licensure and regulation of persons engaged in the practice of pastoral counseling. As such, it is not the intent of KRS 335.600 to 335.699 and KRE 506 to advance or inhibit religion, to in any way affect the performance of ordinary duties or functions of the clergy, or to foster excessive government entanglement with religion.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 3, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 1, effective July 15, 1998.

335.605 Definitions for KRS 335.600 to 335.699.

As used in KRS 335.600 to 335.699, unless the context requires otherwise:

- (1) "Board" means the Kentucky Board of Licensure for Pastoral Counselors;
- (2) "Kentucky licensed pastoral counselor" or "license holder" means an ordained minister or the denominational equivalent who:
 - (a) Has completed a master of divinity degree and an advanced degree program in pastoral counseling, or an equivalent course of study approved by the board, from an accredited seminary or other accredited educational institution;
 - (b) Is licensed by the board; and
 - (c) Engages in the practice of pastoral counseling;
- (3) "Pastoral counseling" means the practice of pastoral counseling at an advanced level, equivalent to the standards of practice set by the American Association of Pastoral Counselors for the "fellow" level, that involves integrating spiritual resources with insights from the behavioral sciences; and
- (4) "Ordained minister or the denominational equivalent" means a person who has been called, elected, or otherwise authorized by a church, synagogue, denomination, or faith group through ordination, consecration, or equivalent means, to exercise within and on the behalf of the denomination or faith group specific religious leadership and service that furthers its purpose and mission.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 4, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 2, effective July 15, 1998.

335.610 Kentucky Board of Licensure for Pastoral Counselors.

The Kentucky Board of Licensure for Pastoral Counselors is hereby created.

- (1) The board shall be composed of five (5) members who shall be appointed by the Governor to serve four (4) year terms.
 - (a) Four (4) members shall be Kentucky licensed pastoral counselors actively engaged in the practice or teaching of pastoral counseling.
 - (b) One (1) member shall be a citizen at large who is not associated with, or financially interested in, the practice or business of pastoral counseling.
- (2) All reappointments to the board and vacancies on the board shall be filled by the Governor from a list of three nominees for each vacancy, submitted by the executive committee of the Kentucky Association of Pastoral Counselors. In selecting the three (3) nominees to be submitted to the Governor, the executive committee shall consider all nominations, including self-nominations, from all pastoral counselors licensed under the provisions of KRS 335.600 to 335.699.
- (3) No member shall serve more than two (2) consecutive terms.
- (4) The chair of the board may not serve more than two (2) years.
- (5) Each member shall serve until his or her successor is appointed and qualified.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 5, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 3, effective July 15, 1998.

335.615 Powers and duties of board.

The board shall meet at least twice a year. The board shall elect a chair at the fall meeting who shall serve a one (1) year term. The board shall:

- (1) Approve or deny applications for licensure submitted according to the provisions of KRS 335.600 to 335.699;
- (2) Approve the examination required of applicants for licensure, provide for the administration and grading of the examination, and provide for other matters relating to licensure in the profession of pastoral counseling as promulgated in administrative regulations;
- (3) Review the credentials of license holders to determine eligibility for license renewal, including payment of fees authorized in KRS 335.625;
- (4) License those pastoral counseling applicants who satisfy the requirements of KRS 335.600 to 335.699, including payment of fees authorized in KRS 335.620;
- (5) Adopt a code of ethics for Kentucky licensed pastoral counselors by promulgation of administrative regulations;

- (6) Promulgate administrative regulations, in accordance with KRS Chapter 13A, to implement the purposes of KRS 335.600 to 335.699;
- (7) Investigate suspected violations of KRS 335.600 to 335.699;
- (8) Institute and maintain actions to restrain or enjoin persons who violate the licensure provisions of KRS 335.600 to 335.699; and
- (9) Submit an annual report to the Governor and to the Legislative Research Commission by January 1 of each year, listing all hearings conducted by the board, any decisions rendered, and a current roster of all Kentucky licensed pastoral counselors.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 6, effective July 15, 2014. -- Amended 2010 Ky. Acts ch. 24, sec. 1698, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 12, sec. 55, effective June 25, 2009. -- Created 1998 Ky. Acts ch. 525, sec. 4, effective July 15, 1998.

335.620 Application for licensure -- Conversion of certificate to license.

- (1) An applicant for licensure as a pastoral counselor shall:
 - (a) Pay the board an initial fee for licensure that shall be established by administrative regulation promulgated in accordance with KRS Chapter 13A;
 - (b) Be at least twenty-one (21) years of age;
 - (c) Reside or be employed in the Commonwealth of Kentucky;
 - (d) Have completed a master of divinity degree or its equivalent with a minimum of ninety (90) hours from a seminary accredited by the Association of Theological Schools or an equivalent course of study as defined by the board by promulgation of administrative regulations;
 - (e) Have completed each of the following:
 - 1. At least one thousand three hundred seventy-five (1,375) hours in the practice of supervised pastoral counseling acceptable to the board, subsequent to being granted a master's degree; and
 - 2. A minimum of two hundred fifty (250) hours of clinical supervision acceptable to the board;
 - (f) Be an ordained minister or the denominational equivalent, as determined by the applicant's denomination or faith group, and have been endorsed by that denomination or faith group to function as a pastoral counselor;
 - (g) Hold an advanced degree or its equivalent beyond the master of divinity degree with special concentration in the theory and practice of pastoral counseling and which requires at least one (1) year of academic work beyond the first professional degree; and
 - (h) Pass a written examination approved by the board.

(2) If an applicant has been issued a certificate in pastoral counseling by the board prior to January 1, 2015, and maintains that certificate in good standing, the board shall issue the applicant a license as a pastoral counselor upon the applicant's payment of a renewal fee and completion of a renewal process as authorized by KRS 335.625 and as prescribed by the board through the promulgation of administrative regulations.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 7, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 5, effective July 15, 1998.

335.625 Renewal of licensure.

(1) Licensure issued under KRS 335.615 shall be renewed every three (3) years upon:

(a) Payment of a renewal fee established by the board and promulgated by administrative regulation in accordance with KRS Chapter 13A, but not to exceed three hundred dollars (\$300); and

(b) Documentation of twenty (20) hours of continuing education completed since the date of last renewal or original issue, whichever is later.

(2) Any license not renewed within three (3) months of its renewal date shall expire. The board may reinstate the license upon payment of the renewal fee and meeting the continuing education requirement set forth in subsection (1)(b) of this section within one (1) year after the renewal date.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 8, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 6, effective July 15, 1998.

335.630 Use of title "Kentucky licensed pastoral counselor" -- Construction of KRS 335.600 to 335.699.

(1) The provisions of KRS 335.600 to 335.699 shall not apply to persons licensed, certified, or registered under any other provision of the Kentucky Revised Statutes, including, but not limited to, physicians, social workers, psychologists, nurses, marriage and family therapists, art therapists, or students within accredited training programs of these professions. Except as provided in subsection (2) of this section, nothing in KRS 335.600 to 335.699 shall be construed to limit, interfere with, or restrict the practice, descriptions of services, or manner in which these persons hold themselves out to the public.

(2) No person shall use the title "Kentucky licensed pastoral counselor" or "KLPC," or any title or abbreviation that is substantially the same, or hold himself or herself out as having this status or as a Kentucky licensed pastoral counselor, unless licensed by the board.

(3) Nothing in KRS 335.600 to 335.699 shall be construed to alter, amend, or interfere with the practice of employment counseling, job placement counseling, or school counseling.

(4) Nothing in KRS 335.600 to 335.699 shall be construed as regulating or limiting the ministry or services of a minister, including pastoral care and counseling, otherwise authorized by a church, denomination, or faith group to perform the ordinary duties or functions of the clergy.

(5) Nothing in KRS 335.600 to 335.699 shall be construed to apply to the activities and services of a student or trainee in pastoral counseling who is pursuing a program of studies in pastoral counseling at an accredited institution of higher learning if the activities are performed under supervision and constitute a part of the supervised program of study, and if the person is designated a pastoral counseling intern or student in training.

(6) The provisions of KRS 335.600 to 335.699 shall not apply to Christian Science practitioners.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 9, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 7, effective July 15, 1998.

335.635 Written complaint of violation -- Investigation -- Hearing -- Appeal.

Any person or organization, including the board upon its own volition, may file with the board a written complaint alleging violation of any provision of KRS 335.600 to 335.699. The board shall cause the complaint to be investigated.

(1) If the investigation reveals evidence supporting the complaint, the board shall set the matter for hearing in accordance with the provisions of KRS Chapter 13B before refusing to renew, revoking, reprimanding, imposing probation or an administrative fine, or any combination of actions regarding any license holder.

(2) After denying an application for licensure under KRS 335.600 to 335.699, the board may grant a hearing to the denied applicant in accordance with the provisions of KRS Chapter 13B.

(3) The board may reconsider, modify, or reverse its decision on any disciplinary action.

(4) Any party aggrieved by a disciplinary action of the board may bring an action in Franklin Circuit Court in accordance with the provisions of KRS Chapter 13B.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 10, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 9, effective July 15, 1998.

335.640 Reinstatement.

A person whose license has been revoked may apply for reinstatement no earlier than one (1) year from the date of revocation, in accordance with the procedures established by the board by administrative regulation under KRS Chapter 13A.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 11, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 10, effective July 15, 1998.

335.645 Immunity from personal liability.

Members of the board and its agents shall be immune from personal liability in any action, civil or criminal, which is based upon any official act or acts performed reasonably and in good faith by the board member, agent, or employee.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 525, sec. 11, effective July 15, 1998.

335.650 Disposition of fees and other moneys.

The Board of Licensure for Pastoral Counselors fund is hereby created in the State Treasury. All funds received by the board under the provisions of KRS 335.600 to 335.699 shall be deposited with the State Treasurer for credit to the board fund. The fund shall be invested as all other state funds are invested, and income from investment of the fund shall be credited to the fund. The balance remaining in the fund at the end of any fiscal year shall not lapse to the general fund. The money in the board fund shall be appropriated to the board and shall be used for the purpose of carrying out the provisions of KRS 335.600 to 335.699.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 12, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 12, effective July 15, 1998.

335.699 Penalties and sanctions for violations.

If the board finds any applicant or license holder whom it regulates under KRS 335.600 to 335.699 has violated the provisions of KRS 335.600 to 335.699 or any administrative regulation promulgated under the authority granted to the board, the board may issue an order imposing one (1) or more of the following penalties:

- (1) Denial of an application for licensure, either temporarily or permanently;
- (2) Revocation of a license or an application for licensure, either temporarily or permanently;
- (3) Imposition of an administrative fine not to exceed one thousand dollars (\$1,000);
- (4) Imposition of a requirement for supervision of the applicant or license holder;
- (5) Restriction of the license holder's ability to supervise others; and
- (6) Issuance of a reprimand.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 64, sec. 13, effective July 15, 2014. -- Created 1998 Ky. Acts ch. 525, sec. 8, effective July 15, 1998.

KENTUCKY ADMINISTRATIVE REGULATIONS

201 KAR 38:010. Definitions for 201 KAR Chapter 38.

RELATES TO: KRS 335.620

STATUTORY AUTHORITY: KRS 335.615(1)-(4), (6)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.620 establishes the requirements for licensure as a licensed pastoral counselor. The board is required to review the applications of applicants for licensure. This administrative regulation establishes the definitions used in 201 KAR Chapter 38.

Section 1. Definitions.

- (1) "Clinical supervision" means the process of utilizing a partnership aimed at enhancing the professional development of supervisees in providing pastoral counseling services.
- (2) "Equivalent course of study" means a master's, doctoral degree, or accredited training program in pastoral counseling from a regionally accredited institution in a mental health field closely related to pastoral counseling which either contains, or has been supplemented by, the coursework in each of the basic core areas listed in 201 KAR 38:030, Section 2. (26 Ky.R. 282; Am. 587; eff. 9-15-1999; TAm eff. 7-17-2014.)

201 KAR 38:020. Application.

RELATES TO: KRS 335.620

STATUTORY AUTHORITY: KRS 335.615(1)-(4), (6), 335.620

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.615 requires the Board of Licensure for Pastoral Counselors to promulgate administrative regulations establishing requirements for licensure. KRS 335.620 requires the board to promulgate administrative regulations establishing an initial fee for licensure and requirements for a written examination. This administrative regulation establishes the application process for certification.

Section 1. An applicant for licensure shall:

- (1) Meet the requirements of KRS 335.620;
- (2) Pay by check or money order an initial licensure fee as established by 201 KAR 38:040, Fees, made payable to the Kentucky State Treasurer;
- (3)(a) Pass the written examination titled "Kentucky Pastoral Counselors Examination" administered and verified by the Kentucky Board of Licensure for Pastoral Counselors, which may include the topics set forth in 201 KAR 38:030, Section 3(1) through (4); and

(b) Submit documentation of a passing score to the board;

(4) File a completed, signed, and dated Application for Licensure as a Licensed Pastoral Counselor, or "Application-2", with the board containing:

- (a) Name;
- (b) Address;
- (c) Home phone;
- (d) Work address;
- (e) Work phone;
- (f) Date of birth;
- (g) Social security number;
- (h) Criminal convictions;
- (i) Misconduct in other positions;
- (j) Credentials by other states;
- (k) Membership in professional organizations;
- (l) Education;
- (m) Experience;
- (n) Clinical supervision that shall be equally distributed throughout the qualifying period and verification that meets the following requirements:

1. At least 120 hours of the 250 hours of clinical supervision that is required by KRS 335.620(1)(e) shall be individual supervision by an approved supervisor; and

2. An approved supervisor shall be an individual who:

- a. Holds a diplomate level of certification from the American Association of Pastoral Counselors or its regional affiliates;
- b. Holds a fellow level of certification from the American Association of Pastoral Counselors or its regional affiliates and is also under supervision by a diplomate;
- c. Is licensed as a licensed pastoral counselor in Kentucky with a minimum of four (4) years of experience in the practice of pastoral counseling; or
- d. Holds licensure or certification, with at least five (5) years of clinical experience and two (2) years of supervisory experience, in one (1) of the following mental health professions:

- (i) Psychiatry;
- (ii) Psychology;
- (iii) Social work;
- (iv) Professional counseling; or

- (v) Marriage and family therapy;
- (o) Endorsement by a denomination or faith group; and
- (p) Signed affidavit.

Section 2. Incorporation by Reference.

(1) Form "Application-2", June, 1999 edition, Board of Licensure of Licensed Pastoral Counselors, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Board of Licensure for Pastoral Counselors, 911 Leawood Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (26 Ky.R. 283; Am. 587; eff. 9-15-1999; 29 Ky.R. 1870; eff. 3-19-2003; TAm eff. 7-17-2014; 43 Ky.R. 1254, 1547; eff. 3-31-2017.)

201 KAR 38:030. Equivalent course of study.

RELATES TO: KRS 335.620

STATUTORY AUTHORITY: KRS 335.615(6), 335.620(1)(d)-(g)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.615 requires the Board of Licensure for Pastoral Counselors to promulgate administrative regulations to implement KRS 335.600-335.699. KRS 335.620(1)(d)-(g) authorizes the board to promulgate administrative regulations establishing a course of study equivalent to a master of divinity degree. This administrative regulation establishes the criteria for the equivalent course of study.

Section 1. Clinical membership at the fellow level in the American Association for Pastoral Counselors or one (1) of its regional affiliates shall indicate that the applicant has met both the educational and experiential requirements for certification as set forth in KRS 335.620(1)(d)-(g).

Section 2. To qualify as an equivalent course of study, a master's or doctoral degree shall consist of a minimum of sixty (60) semester hours of coursework that meets the requirements of Section 3 of this administrative regulation.

The course work may:

- (1) Include or extend beyond the one (1) professional degree in a theological or spiritual discipline or a mental health discipline; and
- (2) Include unlimited hours earned in:
 - (a) An American Association of Pastoral Counselors or one (1) of its regional affiliates approved Training Program in pastoral counseling with fifteen (15) contact hours equaling one (1) semester hour; or

(b) Another educational institutional program that meets the requirements stipulated by the American Association of Pastoral Counselors' Certification Committee or one (1) of its regional affiliates, or the Institutional Accreditation Committee.

Section 3. A master's or doctoral degree in an equivalent course of study shall include the following:

(1) Religious foundations. This area shall consist of a minimum of twenty-one (21) semester hours in the following areas:

- (a) Scripture;
- (b) Theology;
- (c) Religious history;
- (d) Theological and social ethics;
- (e) Spirituality; and
- (f) World religions.

(2) Core clinical theory. This area shall consist of:

(a) A minimum of six (6) semester hours in counseling and psychotherapy techniques, which provides a historically informed theoretical foundation for helping relationships and foundational skills for counselors. Coursework shall include:

1. A range of counseling theories that will help them learn to conceptualize client behaviors and make appropriate theoretical choices for interventions;
 2. Broad categories of theoretical approaches: cognitive, behavioral, affective, and systemic, with opportunities to explore their differing implications in relation to case material and rationales for employing various models;
 3. Particular current models that have established research and practice literatures to assist them in becoming conceptually and clinically grounded in a model of their choice;
 4. A conceptual foundation in essential clinical practices such as developing clinical relationships, establishing appropriate goals, designing intervention strategies, evaluating outcomes, and successfully terminating counseling relationship;
 5. Self-other awareness related to therapeutic and ethical boundary considerations;
 6. Consultation as a related skill, with attention to continuities and discontinuities with counseling;
 7. The historical development of current primary models for consultation and a developmental approach to the predictable stages of consultative processes;
 8. Relevant technological strategies and applications for clinical practice and consultation;
- and

9. Ethical and legal considerations relevant to counseling and consultation; and

(b) A minimum of three (3) semester hours in each of the following:

1. Group dynamics and techniques, which shall provide theoretical and experiential understanding of clinical group processes and shall include: the value, predictable stages of development, and dynamics of counseling with groups as well as attention to preparation standards for professional group leaders and related ethical and legal issues. Coursework shall include:

- a. Review of a range of counseling methods and approaches including the principles of group development, process, dynamics, various members' roles and behaviors as well as related therapeutic factors;
- b. Consideration of possible leadership styles and the factors recommending each style;
- c. Identification of distinguishing characteristics and recommended contexts for varied theories and methods of group counseling with attention to current literature and relevant research; and
- d. Discussion of ways of working with non-clinical group processes such as task and psycho-educational groups;

2. Couples and family systems, which shall provide a basic introduction to couples and family systems theory and practice. Coursework shall include:

- a. An overview of general systems and cybernetic models of family functioning;
- b. Acquaintance with historic models of family therapy including structural, strategic, object relations, and Bowenian;
- c. An introduction to emerging post-modern and behavioral understandings of family function and therapy;
- d. Attention to couple dynamics and models of couple intervention; and
- e. Ethical and legal factors;

3. Social and cultural diversity, which provides students with a way of understanding the cultural context of relationships and institutions as they contribute to complex social identities in individuals and disclose the necessity of analytical and clinical skills for addressing an increasingly diverse society. The range of issues related to differences that we will address shall include race, ethnicity, class, age, gender, sexual orientation, cognitive and physical characteristics, and religion. The course shall address:

- a. Helping students identify the complexity of their own social identity in relation to the asymmetrical distribution of power in societies related to various aspects of differences and the implications they pose for effective practice;
 - b. Developing introductory levels of knowledge about emerging increasingly plural demographic trends related to various racial, ethnic, and religious identities and the implications for relationships within and between those groups;
 - c. Establishing introductory levels of understanding about each form of difference including experiential strategies;
 - d. Current literatures to develop competency for working with culturally different client populations including work with individuals, couples, families, groups, and larger community contexts;
 - e. Several theories of multicultural counseling and theories of multicultural competency for clinicians;
 - f. Ethical and legal considerations as well as advocacy issues for clinicians that accompany the consequences of prejudice, racism, and other forms of oppression that clients encounter; and
4. The function and ethics of professional identity as a counselor, which shall address the following aspects of professional identity as a counselor:
- a. The history and philosophy of the counseling profession with reference to particular cultural and historical factors of significance;
 - b. Professional roles, functions, and ways of establishing relationships with other related human service providers;
 - c. Expected areas of computer and related technological competencies;
 - d. Primary professional organizations and their priorities as well as identification of benefits and accountabilities related to membership;
 - e. Professional credentialing, such as certification, licensure, and accreditation practices and standards and their relation to contemporary public policy debates;
 - f. The role of advocacy on behalf of the profession regarding public and private policy issues as well as advocacy for clients in relation to institutional and social barriers that deny them access to or equity in resources; and
 - g. The ethical standards of the profession and current legal considerations as well as development of skills in applying these in practice; and
- (c) A minimum of six (6) semester hours taken from the following areas:
- 1. Professional identity function and ethics;

2. Theories of human behavior, learning, personality development, which shall provide an introduction to developmental theory concerning the nature and needs of individuals and families across the lifespan. While varied theoretical approaches may inform the course, the following topics shall be included:

- a. Theoretical approaches to individual and family development across the lifespan and attention to transitions in development;
- b. Learning theory;
- c. Personality development theories;
- d. Proposals for enhancing development;
- e. Attention to human behavior in light of varied developmental crises, compulsive behaviors, disability, psychopathology, exceptional behavior, and situational and environmental factors affecting both normal and abnormal behavior; and
- f. Ethical and legal issues;

3. Career development, which introduces students to ways of approaching career development. The following information shall be addressed:

- a. Theoretical approaches for career development and related decision-making models as well as relevant instruments and techniques;
- b. Career counseling models including those for particular populations;
- c. Career related information systems and media resources in print, visual, electronic, computer, and other forms regarding career, avocation, education, occupation, and labor market information;
- d. Models for career development program planning, organization, implementation, administration, and evaluation;
- e. Possible relationships intersecting work, family, and other areas of life including forms of diversity such as race, ethnicity, class, and gender;
- f. Career and educational planning, placement, follow-up, and evaluation;
- g. Technology supported career development applications such as web and computer assisted information systems for career guidance; and
- h. Ethical and legal factors;

4. Appraisal, evaluation, and diagnostic procedures to make a current diagnosis, which introduces students to individual and group approaches for assessment and evaluation and shall include all of the following:

- a. Historical and conceptual perspectives of assessment;

- b. Basic concepts for standardized, non-standardized, group and individual testing, and inventory methods; additional assessment techniques including norm and criterion referenced assessment, environmental and performance assessment; behavioral observations; and computer managed and assisted methods;
 - c. Statistical concepts that shall include, at a minimum, scales of measurement, measures of central tendency, indices of variability, shapes and types of distributions, and correlations;
 - d. Reliability and validity measurement procedures;
 - e. Assessment factors related to specific populations and types of diversity;
 - f. Strategies for determining, administering, and interpreting evaluative instruments and techniques in counseling;
 - g. Principles and methods for case conceptualization, assessment, and diagnosis of mental and emotional status including use of current Diagnostic and Statistical Manual of Mental Disorders; and
 - h. Ethical and legal factors;
5. Abnormal behavior, which provides an overview of psychosocial difficulties in living that disrupt personal, familial, work, or other functioning. It shall include:
- a. An exploration of cultural differences in defining normalcy and health;
 - b. Individual and systemic developmental contributions to psychopathology and diagnostic categories as outlined in the current Diagnostic and Statistical Manual of Mental Disorders;
 - c. Psychodynamic and cognitive-behavioral descriptions of psychopathology; and
 - d. Introductory discussion of treatment options; and
6. Addictions, which addresses current understandings of the description, etiology, and treatment of addictive disorders including addictions to legal and illegal substances such as alcohol and drugs, as well as sexual, love, gambling, and religious addictions. It shall include:
- a. An overview of developmental precursors of addictive disorders including neurobiological and psychodynamic factors;
 - b. Attention to the contextual triggers of addictive behaviors and to their repetitive, compulsive nature, increasing tolerance for the object of addiction;
 - c. Treatment options including 12-step programs;
 - d. An awareness of the effects of addictions on the person, children, family system, and the unique role of pastoral interventions;

- e. Recognition that addictions may co-occur with mental health disorders (dual diagnosis);
- f. Ability to acknowledge and address values, issues, and attitudes regarding alcohol and drug use and dependence in oneself, and in one's own family; and
- g. Capacity to shape, form, and educate caring groups and support persons for those affected by alcohol and drugs, in congregations and the wider community; and

(3) Pastoral counseling theory. This area shall include a minimum of three (3) semester hours distributed among the following:

- (a) Basic pastoral care, which shall include crisis intervention, grief counseling, and hospital ministry;
- (b) History of pastoral care and counseling;
- (c) Psychology of religion;
- (d) Faith development;
- (e) Pastoral theology;
- (f) Theology of psychotherapy;
- (g) Spiritual formation; and
- (h) Clinical pastoral education.

(4) Specialized technical studies. This area shall include a minimum of nine (9) semester hours of the following areas:

- (a) Psychodynamic psychotherapies, which provide an overview of the historical roots of dynamic psychotherapy, tracing the key concepts of classical Freudian analysis through modern self-psychology. Attention shall be paid to:
 - 1. The theoretical foundations that support the aims and goals of psychotherapy;
 - 2. Psychotherapeutic methods, strategies, and processes; and
 - 3. Appropriate applicability will be explored and illustrated through case vignettes;
- (b) Marriage and family therapy, which provides a basic introduction to family systems theory and practice. While it may focus on one (1) model of therapy for skills competence, it shall also provide:
 - 1. An overview of general systems and cybernetic models of family functioning;
 - 2. Acquaintance with historic models of family therapy, including structural, strategic, object relations, and Bowenian;
 - 3. An introduction to emerging post-modern and behavioral understandings of family function and therapy; and
 - 4. Attention to couple dynamics and models of couple intervention;

(c) Humanistic psychotherapy, which includes courses that explore in breath or depth the theories and techniques of psychotherapy emerging from the humanistic tradition in psychology and personality theory. This tradition shall include the phenomenological, existential, and experiential schools. Major theorists in this area may include persons such as R. May, C. Rogers, V. Frankl, S. Maddi, J. Bugental and I. Yalom. Examples of courses that satisfy the requirements of this area shall include: Client Centered Therapy, Existential Psychotherapy, Experiential Psychotherapy, and Third Force Psychotherapy;

(d) Transpersonal psychotherapy, which provides an overview of the interdisciplinary, "fourth force", field of transpersonal psychotherapy with particular attention to the mutual contributions of Eastern and Western notions of self, wholeness, and consciousness, including particularly the writings of Wilber, Tart, Walsh, and Vaughan. Attention shall be paid to:

1. Relationships with humanistic, depth psychology and psychodynamic theories;
2. The eclectic integration of those techniques in transpersonal psychotherapy; and
3. Roles and potential risks of specific practices such as meditation, yoga, and other spiritual practices;

(e) Cognitive therapy, which examines the theoretical roots, assumptions, and practices of Cognitive and Cognitive-Behavioral Psychotherapies. From its roots in Behaviorism through the ground-breaking work of Aaron Beck through contemporary Constructivist Cognitive theory, this course shall cover the core concepts and practices of the cognitive approaches. Key topics to be explored include:

1. The role of cognition in the development and maintenance of psychological problems;
2. The process of identifying and testing problematic thinking;
3. The role of culture in forming and maintaining dysfunctional cognitions;
4. The basic practices of Cognitive and Cognitive-Behavioral therapy, especially in the treatment of depression and anxiety; and
5. The use of Cognitive and Cognitive-Behavioral theory in various modalities of individual, couple, family, and group therapies;

(f) Behavior therapy, which examines a range of therapies, both theory and methods, broadly defined as "Behavior Therapies" based on shared assumptions regarding the nature of human behavior, behavioral change or modification, and the role of environmental factors. The primary shared assumption shall be that even complex human behavioral problems can be defined in terms of their component parts and that these components can be treated. The course shall address:

1. Treatment approaches based on classical conditioning, such as relaxation training and desensitization, those commonly referred to as behavioral modification, and other current treatments;
 2. Critical analysis of the appropriate use of techniques and methodologies as well as their limitations for specific types of problems such as panic disorders and phobias; and
 3. Particular populations such as women, adolescents, racial or ethnically under-represented groups, panic disorders, and phobias;
- (g) Brief therapy, which shall include courses that explore in breadth or depth the theories and techniques of short-term or time-limited approaches in psychotherapy. Courses shall attend to theoretical foundations, client selection and applicability, treatment techniques, and intervention strategies. Examples of courses satisfying the requirements in this area shall include Short-Term Psychotherapy, Solution-Focused Psychotherapy, Brief Family Therapy, and Time limited Couples' Therapy;
- (h) Group therapy, which examines therapeutic modalities and theory designed to be used in group therapy settings. A variety of possible psychological frameworks for group therapy shall be reviewed such as Depth Psychology, Gestalt, Transactional Analysis, and supportive or growth-oriented group approaches. Key topics to be addressed shall include:
1. Group composition and size, group contracting, and goal setting;
 2. Heterogeneous versus homogeneous groups;
 3. Therapist or counselor role;
 4. Structured versus unstructured group work;
 5. Open versus closed groups;
 6. Physical settings; and
 7. Critical analysis of appropriate use of techniques and methodologies as well as:
 - a. Their limitations for specific types of problems; and
 - b. Particular populations, including women, adolescents, and racial or ethnically under-represented groups; and
- (i) Post-modern and Constructivist therapies, which include therapeutic approaches that have emerged out of post-modernist assumptions, especially the assumption that reality is socially constructed. The course shall focus on the theories and methods used to help people explore their life stories and their meanings. The unique focus of building positive, option-rich future stories shall be thoroughly explored. Key topics to be explored shall include:
1. Post-modernism and post structuralist theory;
 2. The role of culture in constructivist therapies;

3. Mutuality and self-disclosure in the counseling relationship;
 4. Deconstructive methods in counseling;
 5. Methods for generating narratives of possibility and hope; and
 6. Individual, family, and group modes for constructivist therapies; and
- (5) Practicum, internship, or residency. This area shall be a minimum of three (3) semester hours. (26 Ky.R. 284; Am. 588; eff. 9-15-1999; 43 Ky.R. 1255, 1548; eff. 3-31-2017.)

201 KAR 38:040. Fees.

RELATES TO: KRS 335.620(1)

STATUTORY AUTHORITY: KRS 335.615(6); 335.620(1), (8)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.615(6) and 335.620(1) require the board to establish an initial fee for licensure. KRS 335.620(8) requires an applicant who has not received certification before July 1, 1999, to pass a written examination approved by the board. This administrative regulation establishes the initial fee for licensure and the fee for taking the written examination.

Section 1. Initial Licensure Fee.

- (1) The initial fee for licensure as a licensed pastoral counselor shall be \$400.
- (2) If an application for licensure is denied, the board shall refund \$250 of the initial licensure fee.

Section 2. Written Examination Fee. The fee for taking the written examination of the Kentucky Board of Licensure for Pastoral Counselors, the Kentucky Pastoral Counselors Examination, shall be \$150. (26 Ky.R. 285; Am. 589; eff. 9-15-1999; 29 Ky.R. 1871; eff. 3-19-2003; TAm eff. 7-17-2014.)

201 KAR 38:060. Code of ethics.

RELATES TO: KRS 335.615(5)

STATUTORY AUTHORITY: KRS 335.615(5), (6)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.615(5) requires the board to promulgate a code of ethics for Licensed pastoral counselors. This administrative regulation establishes the required code of ethics.

Section 1. Identification of a Client.

- (1) A client shall be a person who receives a counseling, psychotherapeutic, or other professional service from a licensed pastoral counselor.
- (2) A person identified as a client pursuant to subsection (1) of this section shall be deemed to continue to be a client for a period of two (2) years following the last date of service rendered to that client.

Section 2. Responsibility to Clients.

(1) A licensed pastoral counselor shall:

- (a) Advance and protect the welfare of his client;
- (b) Respect the rights of persons seeking his assistance; and
- (c) Make reasonable efforts to ensure that his services are used appropriately.

(2) A licensed pastoral counselor shall not:

- (a) Exploit the trust and dependency of a client;
- (b) 1. Except as provided by subparagraph 2 of this paragraph, engage in a dual relationship with a client, including a social, business, or personal relationship, that may:
 - a. Impair professional judgment;
 - b. Incur a risk of exploitation of the client; or
 - c. Otherwise violate a provision of this administrative regulation.
- 2. If a dual relationship cannot be avoided, and does not impair professional judgment, incur a risk of exploitation of the client, or otherwise violate a provision of this administrative regulation, a pastoral counselor shall take appropriate professional precautions to ensure that judgment is not impaired and exploitation of the client does not occur;
- (c) Engage in a sexual relationship with a current client or with a former client for two (2) years following the termination of pastoral counseling;
- (d) Use his professional relationship with a client to further his own interests;
- (e) Continue a pastoral counseling relationship unless it is reasonably clear that the client is benefiting from the relationship;
- (f) Fail to assist a person in obtaining other pastoral counseling services if the pastoral counselor is unable or unwilling, for appropriate reasons, to provide professional help;
- (g) Abandon or neglect a client in treatment without making reasonable arrangements for the continuation of treatment;
- (h) Videotape, record, or permit third-party observation of a pastoral counseling session without having first obtained written informed consent from the client;
- (i) Engage in sexual or other harassment or exploitation of a client, student, trainee, supervisee, employee, colleague, research subject, or actual or potential witness or complainant in an investigation or a disciplinary investigation or proceeding by the board; or
- (j) Diagnose, treat, or advise on problem outside the recognized boundaries of his competence.

Section 3. Confidentiality.

(1) A licensed pastoral counselor shall respect and guard the confidences of each individual client.

- (2) A licensed pastoral counselor shall not disclose a client confidence except:
- (a) As mandated, or permitted by law;
 - (b) To prevent a clear and immediate danger to a person;
 - (c) If the pastoral counselor is a defendant in a civil, criminal, or disciplinary action arising from the pastoral counseling, confidences may be disclosed only in the course of that action; or
 - (d) If a waiver has been obtained in writing, confidential information shall be revealed only in accordance with the terms of the waiver. If more than one (1) person in a family receives pastoral counseling, unless a waiver is executed by each family member receiving pastoral counseling, who is legally competent to execute a waiver, a pastoral counselor shall not disclose information received from any family member.
- (3) A pastoral counselor may use client or clinical materials in teaching, writing, and public presentations if:
- (a) A written waiver has been obtained in accordance with subsection (2)(d) of this section; or
 - (b) Appropriate steps have been taken to protect client identity and confidentiality.
- (4) A pastoral counselor shall store or dispose of client records so as to maintain confidentiality.

Section 4. Responsibility to a Student or Supervisee.

- (1) A licensed pastoral counselor shall not exploit the trust and dependency of a student or supervisee.
- (2) A licensed pastoral counselor shall:
- (a) Be aware of his influential position with respect to a student or supervisee; and
 - (b) Avoid exploiting the trust and dependency of these persons.
 - 1. A pastoral counselor shall make every effort to avoid a dual relationship, including a social, business, or personal relationship, with a student or supervisee that may impair professional judgment or increase the risk of exploitation.
 - 2. If a dual relationship cannot be avoided, a pastoral counselor shall take appropriate professional precautions to ensure judgment is not impaired and no exploitation occurs.
 - 3. A pastoral counselor shall not provide pastoral counseling to a student, employee or supervisee.
 - 4. A pastoral counselor shall not engage in sexual intimacy or contact with a student or supervisee.
- (3) A pastoral counselor shall not permit a student or supervisee to perform or to hold himself out as competent to perform professional services beyond his level of training, experience, and competence.
- (4) A pastoral counselor shall not disclose a student's or supervisee's confidence except:
- (a) As mandated, or permitted by law;

- (b) To prevent a clear and immediate danger to a person or persons;
- (c) If the pastoral counselor is a defendant in a civil, criminal, or disciplinary action arising from the supervision, the student's or supervisee's confidence may be disclosed only in the course of that action;
- (d) In an educational or training setting if there are multiple supervisors, to other professional colleagues who share responsibility for the training of the supervisee; or
- (e) If there is a waiver previously obtained in writing, information shall be revealed only in accordance with the terms of the waiver.

Section 5. Financial Arrangements.

- (1) A pastoral counselor shall make financial arrangements with a client, third-party payer, or supervisee that are reasonably understandable and conform to accepted professional practices.
- (2) A pastoral counselor shall:
 - (a) Not offer or accept payment for referrals;
 - (b) Not charge excessive fees for services;
 - (c) Disclose his fees to clients and supervisees at the beginning of services; and
 - (d) Represent facts truthfully to clients, third-party payers, and supervisees regarding services rendered.

Section 6. Advertising.

- (1) A licensed pastoral counselor shall:
 - (a) Accurately represent his education, training, and experience relevant to his practice of pastoral counseling; and
 - (b) Not use professional identification, including a business card, office sign, letterhead, or telephone or association directory listing if it includes a statement or claim that is false, fraudulent, misleading, or deceptive pursuant to subsection (2) of this section.
- (2) A statement shall be false, fraudulent, misleading, or deceptive if it:
 - (a) Contains a material misrepresentation of fact;
 - (b) Fails to state a material fact necessary to make the statement, in light of all circumstances, not misleading; or
 - (c) Is intended to or is likely to create an unjustified expectation.

Section 7. Professional Competence and Integrity. A pastoral counselor shall maintain standards of professional competence and integrity and shall be subject to disciplinary action as provided in KRS 335.635:

(1) Upon conviction of a felony, or a misdemeanor involving moral turpitude, or a misdemeanor related to his practice as a pastoral counselor. Conviction shall include conviction based on:

(a) A plea of no contest or an "Alford Plea"; or

(b) The suspension or deferral of a sentence or conditional discharge;

(2) If his license or certificate to practice a health profession issued by another state's regulatory agency has been disciplined, or had a license or certificate to practice denied, by that state's regulatory agency;

(3) If his license or certificate to practice a health profession issued by another Kentucky regulatory agency has been disciplined or had a license or certificate to practice denied, by that Kentucky regulatory agency;

(4) Upon a showing of impairment due to mental or physical incapacity or the abuse of alcohol or other substances which may negatively impact the practice of pastoral counseling;

(5) If he misrepresented or concealed a material fact in obtaining a license or seeking reinstatement of a license, or seeking renewal of a license;

(6) If he has refused to comply with an order issued by the board; or

(7) If he has failed to cooperate with the board by not:

(a) Furnishing in writing a complete explanation to an initiating complaint filed with the board;

(b) Appearing before the board or a designated representative of the board at the time and place designated; or

(c) Properly responding to a subpoena issued by the board.

(8) Violated any statutory or regulatory section of KRS Chapter 335. (26 Ky.R. 286; Am. 589; eff. 9-15-1999; TAm eff. 7-17-2014.)

201 KAR 38:070. Renewal of licenses and continuing education.

RELATES TO: KRS 210.366, 335.625, 335.640, 335.650

STATUTORY AUTHORITY: KRS 210.366, 335.615(6), 335.625

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.615(6) requires the board to promulgate administrative regulations to implement the purposes of KRS 335.600 to 335.699. KRS 335.625(1) requires the board to establish the renewal fee in an administrative regulation. KRS 210.366 requires a board licensee to complete a minimum of six (6) hours of continuing education in suicide assessment, treatment, and management at least once every six (6) years. This administrative regulation establishes all fees charged by the board necessary for renewal of licenses and establishes all required continuing education necessary for renewal of licenses.

Section 1. Renewal. Each license holder of the board shall renew his or her license as required by KRS 335.625 on or before a date that is three (3) years from the date of his or her original license or last renewal by submitting to the board a completed Renewal Application.

Section 2. Renewal Fees and Penalties. The following fees shall be paid in connection with all renewals of licenses of the board.

- (1) The renewal fee for licensure shall be \$300.
- (2) The late renewal fee, including penalty, for renewal of licensure during the three (3) month grace period shall be \$400.
- (3) The reinstatement fee for reinstatement and renewal of licensure after the expiration of the three (3) month grace period and before the expiration of one (1) year after the renewal date, including penalty, shall be \$500.

Section 3. Continuing Education.

(1) Each license holder of the board, before his or her license renewal date, shall obtain twenty (20) clock or credit hours of continuing education completed since the date of the last renewal of the license or the date of the original issuance of the license, whichever is later. Continuing education shall be obtained from any of the following providers or for any of the following activities:

- (a) Individual or group supervision of other license holders of this board at the supervisory level;
- (b) Attendance at any mental health educational conferences, continuing education seminars, or educational meetings where seminars are provided in a live or two (2) way video presentation format and which are approved for continuing education by:

1. The American Association of Pastoral Counselors;
2. The Kentucky Board of Licensure of Marriage and Family Therapists;
3. The Kentucky Board of Medical Licensure;
4. The Kentucky Board of Examiners of Psychology;
5. The Kentucky Board of Alcohol and Drug Counselors;
6. The Kentucky Board of Licensure for Professional Art Therapists;
7. The Kentucky Board of Licensed Professional Counselors;
8. The Kentucky Board of Social Work;
9. The Kentucky Board of Nursing; or
10. A mental health credentialing agency or board of any other state in the United States for which continuing education credit is awarded in that state;

(c) Writing and publishing professionally-related articles in mental health publications regarding pastoral counseling which shall not be counted for more than five (5) hours.

(2) A person holding a license shall complete a minimum of six (6) hours of continuing education in suicide assessment, treatment, and management within the first year of licensure and at least once every six (6)

years thereafter as required by KRS 210.366. A person holding a license shall be exempt from the requirement to complete a continuing education course in suicide assessment, treatment, and management at least once every six (6) years if, during the six (6) year requirement, the licensee teaches a:

- (a) Graduate-level psychology course in suicide assessment, training, and management; or
- (b) Continuing education course in suicide assessment, training, and management at least once during the six (6) year period.

(3) If audited by the board, the license holder shall submit written proof of compliance with this section to the board within ten (10) days of notice from the board that this proof is required.

Section 4. Expired Licenses.

(1) A person holding a license shall not represent himself or herself as a licensed pastoral counselor in this state after the renewal date of his or her license unless:

- (a) That license has been renewed as provided by this administrative regulation;
- (b) The license holder has retained proof of continuing education as set forth by Section 3 of this administrative regulation; and
- (c) The prescribed fee has been paid as set forth by Section 2 of this administrative regulation.

(2) All licenses not renewed within three (3) months after the renewal date shall be expired for nonrenewal.

Section 5. Duplicate License Fees. The fee for a duplicate certificate shall be twenty-five (25) dollars.

Section 6. Incorporation by Reference.

(1) "Renewal Application for Licensure as a Pastoral Counselor", December 2016, edition, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Licensure for Pastoral Counselors, 911 Leawood Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (28 Ky.R. 1013; Am. 1362; eff. 12-19-2001; TAm eff. 7-17-2014; 42 Ky.R. 1916; 2327; eff. 3-4-2016; 43 Ky.R. 1259, 1550; eff. 3-31-2017.)